

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1188 of 2020

Sonu @ Shriram Chouhan S/o Sukalu Ram Chouhan, Aged About 28 Years
R/o Village Katnai P.S. Akaltara, District Janjgir Champa Chhattisgarh, District
: Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through P.S. Champa District Janjgir Champa
Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:	Shri D.K. Mishra, Advocate
For State	:	Shri Pawan Kesharwani, Panel Lawyer
For Objector	:	Shri F.S. Khare, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/02/2021

Heard.

1. The applicant has filed this application for grant of anticipatory bail under Section 438 Cr.P.C. as he is apprehending his arrest in connection with Crime No. 178/2020, registered at Police Station -Champa, District- Janjgir-Champa (C.G.) for the offence punishable under Sections 506, 509 (B) IPC.
2. Case of the prosecution, in brief, is that the applicant has been sending obscene messages with abusive words to intimidate and outrage the modesty of the complainant.
3. Learned counsel for the applicant submits that the applicant is being falsely implicated by the complainant time and again. He submits that earlier also, similar allegations were made against him, in which case, he was granted bail.

Only to ensure that the applicant is again sent to jail, another false complaint has been made that the applicant is sending obscene and abusive message from his mobile phone to the complainant and also threatened her with dire consequences, whereas, the applicant is nowhere involved.

4. On the other hand, learned State counsel submits that on the basis of complaint, the messages were retrieved from the mobile phone of the complainant and when the calling numbers were traced, it is found that the obscene messages are being sent to complainant's mobile phone and prima facie, at this stage, it has been found that the applicant is involved in the alleged matter. It is also submitted that the investigation is going on and further information are being collected in the matter.
5. Taking into consideration the submissions of learned counsel for the parties, taking into consideration the material so far collected by the investigating authority in the case, present is not a fit case for grant of anticipatory bail.
6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge